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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

In re:	§	**Chapter 11**
	§	
EIGER BIOPHARMACEUTICALS, INC., *et al.*[1]	§	**Case No. 24-80040 (SGJ)**
	§	
	§	
Debtors.	§	**(Jointly Administered)**

SIXTH MOTION FOR ENTRY OF AN ORDER
EXTENDING THE DEADLINE TO OBJECT TO CLAIMS

If you object to the relief requested, you must respond in writing. Unless otherwise directed by the Court, you must file your response electronically at https://ecf.txnb.uscourts.gov no more than twenty-four (24) days after the date this motion was filed. If you do not have electronic filing privileges, you must file a written objection that is actually received by the clerk and filed on the docket no more than

[1] The Debtors in these chapter 11 cases, together with the last four digits of each Debtor's federal tax identification number, are: Eiger BioPharmaceuticals, Inc. (1591); EBPI Merger Inc. (9986); EB Pharma LLC (8352); Eiger BioPharmaceuticals Europe Limited (N/A); and EigerBio Europe Limited (N/A). The Debtors' service address is 2100 Ross Ave., Dallas, Texas 75201.

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twenty-four (24) days after the date this motion was filed. Otherwise, the Court may treat the pleading as unopposed and grant the relief requested.

Dundon Advisers, LLC, in its capacity as the Liquidating Trustee (the "Liquidating Trustee" or "Movant") of the Eiger BioPharmaceuticals Liquidating Trust (the "Liquidating Trust"), established by the *Fifth Amended Joint Plan of Liquidation of Eiger BioPharmaceuticals, Inc. and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code*, which was confirmed by an order on September 5, 2024 [Docket No. 639], in the above-captioned Chapter 11 cases hereby submits this motion (the "Motion") for an order further extending the deadline to object to claims and/or interests by ninety (90) days to December 17, 2026. In support of this Motion, the Movant respectfully states as follows:

Relief Requested

1. Movant seeks entry of an order, substantially in the form attached hereto as **Exhibit "A"** (the "Order"), extending the current deadline to object to claims and/or interests, which is 5:00 p.m. (Prevailing Central Time) on September 18, 2026 (the "Claims Objection Deadline"), by ninety (90) days, through and including Thursday, December 17, 2026 pursuant to Federal Rules of Bankruptcy Procedure 9006(a), without prejudice to Movant's right to seek additional extensions thereof.

Jurisdiction and Venue

2. The United States Bankruptcy Court for the Northern District of Texas (the "Court") has jurisdiction over this matter pursuant to 28 U.S.C. § 1334. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b).

3. Venue is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409(a).

4. The bases for the relief requested herein are section 105 of title 11 of the United States Code ("Bankruptcy Code") and Rule 9006 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules").

Background

5. On April 1, 2024 (the "Petition Date"), each of the Debtors filed a voluntary petition with this Court under chapter 11 of the Bankruptcy Code. The Debtors are operating their business and managing their properties as debtors-in-possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code. These Chapter 11 Cases have been consolidated for procedural purposes only and are being jointly administered.

6. On September 5, 2024, the Court entered the *Order Approving the Debtors' Amended Disclosure Statement and Confirming the Fifth Amended Joint Plan of Liquidation of Eiger Biopharmaceuticals, Inc. and its Debtor Affiliates* [Docket No. 639] (the "Confirmation Order") confirming the *Fifth Amended Joint Plan of Liquidation of Eiger Biopharmaceuticals, Inc. and Its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code* [Docket No. 639-1] (as may be altered, amended, supplemented, or modified from time to time, including all exhibits and schedules thereto, the "Plan").[2]

7. On September 30, 2024 (the "Effective Date"), the Debtors filed the *Notice of Occurrence of Effective Date of Fifth Amended Joint Plan of Liquidation of Eiger BioPharmaceuticals, Inc. and Its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code* [Docket No. 685] (the "Notice of Effective Date"), setting forth that, *inter alia*, the Effective Date of the Plan occurred on September 30, 2024.

[2] Capitalized terms used but not otherwise defined herein shall have the respective meanings ascribed to such terms in the Plan.

8. On September 30, 2024, the Liquidating Trust was formed pursuant to the Plan and the Liquidating Trust Agreement. The Plan provides that "the Liquidating Trustee shall have the sole authority to: (1) File, withdraw, or litigate to judgment, objections to Claims and Interests…" *See* Plan, Art. VII.B.

9. On October 30, 2024, the Liquidating Trustee filed a *Motion for Entry Of An Order Extending The Deadline To Object To Claims* [Docket No. 728]. On December 4, 2024, the Court entered its *Order Extending The Deadline To Object To Claims to May 30, 2025* [Docket No. 746].

10. On May 7, 2025, the Liquidating Trustee filed a *Second Motion for Entry Of An Order Extending The Deadline To Object To Claims* [Docket No. 870]. On June 4, 2025, the Court entered its *Order Extending The Deadline To Object To Claims to November 26, 2025* [Docket No. 879].

11. On November 19, 2025, the Liquidating Trustee filed a *Third Motion for Entry Of An Order Extending The Deadline To Object To Claims* [Docket No. 912]. On January 26, 2026, the Court entered its *Order Extending The Deadline To Object To Claims to March 30, 2026* [Docket No. 915].

12. On February 26, 2026, the Liquidating Trustee filed a *Fourth Motion for Entry Of An Order Extending The Deadline To Object To Claims* [Docket No. 924]. On March 24, 2026, the Court entered its *Order Extending the Deadline To Object To Claims to July 20, 2026* [Docket No. 927].

13. On July 20, 2026, the Liquidating Trustee filed a *Fifth Motion for Entry Of An Order Extending The Deadline To Object To Claims* [Docket No. 938]. On September 1, 2026, the Court entered its *Order Extending the Deadline To Object To Claims to September 18, 2026* [Docket No. 950].

Claims Reconciliation

14. Since the Effective Date, Movant and its professionals have been reviewing, analyzing and reconciling the filed Claims and Interests.

15. On November 4, 2024, the Liquidating Trustee filed its *First Non-Substantive Omnibus Objection to Certain (I) Paid/Satisfied in Part Claims, (II) Superseded Claims, (III) Duplicate Claims, (IV) Late Filed Claims, and (V) Misclassified Claims* [Docket No. 736] ("First Omnibus Objection"). The Liquidating Trustee objected to 47 claims in the First Omnibus Objection. On December 12, 2024, the First Omnibus Objection was granted as set forth in this Court's *Order Sustaining the Liquidation Trust's First Non-Substantive Omnibus Objection to Certain (I) Paid/Satisfied in Part Claims, (II) Superseded Claims, (III) Duplicate Claims, (IV) Late Filed Claims, and (V) Misclassified Claims* [Docket No. 754].

16. On January 10, 2025, the Liquidating Trustee filed its *Objection to Claim No. 40 filed by Arch Specialty Insurance Company* [Docket No. 761] (the "Arch Specialty Objection"). No response or opposition was received to the Arch Specialty Objection, and on May 12, 2025, the Court entered the *Order Granting the Liquidating Trustee's Objection to Claim No. 40 Filed by Arch Specialty Insurance Company* [Docket No. 872].

17. On February 23, 2025, the Liquidating Trustee (jointly with the plan administrator) filed the *Liquidating Trustee's and Plan Administrator's Objection to Claim Nos. 83 and 43 filed by Merck Sharp and Dohme LLC* [Docket No. 771]. The Liquidating Trustee has since settled with Merck Sharp and Dohme LLC.

18. On March 7, 2025, the Liquidating Trustee (jointly with the plan administrator) filed the *Objection and Response of the Liquidating Trustee and Plan Administrator to Motion for Allowance of Administrative Expense Claim of Sentynl Therapeutics, Inc.* [Docket No. 777]. On April 21, 2025, the Liquidating Trustee filed its *Motion for Summary Judgment On Contested*

Matter Expunging Administrative Claim of Sentynl Therapeutics, Inc. (the "Sentynl Summary Judgment Motion") [Docket No. 832]. On April 25, 2025, Sentynl Therapeutics, Inc. ("Sentynl") filed its *Opposition to Liquidating Trustee's Motion for Summary Judgment On Contested Matter Expunging Administrative Claim of Sentynl Therapeutics, Inc.* [Docket No. 841]. On May 28, 2025, the Sentynl Summary Judgment Motion was denied by this Court [Docket No. 874]. The Liquidating Trustee has since settled with Sentynl.

19. On June 20, 2025, the Liquidating Trustee filed its *Objection to Claim No. 90 filed by Sciensus International B.V*. [Docket No. 883]. The Liquidating Trustee has since settled with Sciensus International B.V.

20. On March 30, 2026, the Liquidating Trustee filed the *Stipulation By and Between the Liquidating Trustee and David Cory to Extend Time to File Adversary Proceeding Complaint for Avoidance and Recovery of Fraudulent Transfers* [Docket No. 937]. The Liquidating Trustee has since settled with David Cory.

21. On August 20, 2026, the Liquidating Trustee filed the *Second Notice of Expungement of Claims Register* [Docket No. 946], expunging Claims numbers 100 and 101, two late-filed Claims belonging to Altasciences Company Inc. and Dr. Tracey L McLaughlin, respectively.

22. Since the Effective Date, the Movant has diligently worked to reconcile claims, and substantial progress has been made. The Movant is in the process of conducting a final audit of the claims register, including with respect to those claimants who have not returned adequate tax information, in preparation for a final distribution. Therefore, the Movant requires additional time to complete that process. To that end, Movant has determined to file this Motion to seek a 90-day extension of the Claims Objection Deadline, through 5:00 p.m. (Prevailing Central Time) on

December 17, 2026. Such extension will provide Movant with additional time to (i) review and analyze claims; (ii) perform the required due diligence to identify any remaining objectionable claims; (iii) negotiate consensual resolutions with as many holders of claims as possible; and (iv) litigate any claims which cannot be consensually resolved.

Basis for Relief

23. Section 105(a) of the Bankruptcy Code provides that "the court may issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of this title." 11 U.S.C. § 105(a). Furthermore, the Court is not precluded from "taking any action or making any determination necessary or appropriate to enforce or implement court orders or rules, or to prevent an abuse of process." *Id*.

24. Bankruptcy Rule 9006(b) allows a court in its discretion to lengthen the time within which an act is required or allowed to be done. Fed. R. Bankr. P. 9006(b)(1). Rule 9006(b) provides, in relevant part, that:

> [T]he court may--at any time and for cause--extend the time to act if: (A) with or without a motion or notice, a request to extend is made before the period (or a previously extended period) expires; or (B) on motion made after the specified period expires, the failure to act within that period resulted from excusable neglect.

Fed. R. Bankr. P. 9006(b)(1). As Collier notes, the Court should be liberal in granting extensions of time sought before the period to act has elapsed, as long as the moving party has not been negligent, dilatory, or acting in bad faith. 10 Collier on Bankruptcy, ¶ 9006.06[3], at 9006-14 (15th rev. ed. 2001).

25. Here, extension of the Claims Objection Deadline is appropriate and reasonable under the circumstances. Although Movant has made substantial progress and near final completion of its claims reconciliation process, Movant requires additional time to reconcile the few remaining claims and file objections or responses thereto, if necessary. Furthermore, extending

the current Claims Objection Deadline may also facilitate settlement efforts and reduce the scope and number of objections that may have to be filed and litigated. Indeed, Movant submits it would be a waste of resources to prematurely file objections to claims while these efforts to resolve such claims on a consensual basis are ongoing. Finally, extending the Claims Objection Deadline as set forth herein is not sought for purposes of delay and will not significantly prejudice any claimant, as each claimant will retain any substantive defenses it may have to any claim objections that are filed.

Notice

26. Notice of this Motion has been given to all parties on the Master Service List and all parties that have filed claims that have not yet been disallowed. Movant respectfully submits that such notice is sufficient and proper under the circumstances and that no other or further notice is required.

WHEREFORE, Movant respectfully requests that the Court enter the Order granting the relief requested herein, and such other relief as the Court deems appropriate under the circumstances.

[*Remainder of page intentionally left blank.*]

Dated: September 16, 2026

Respectfully submitted,

MCKOOL SMITH, PC

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CERTIFICATE OF SERVICE

I certify that on September 16, 2026, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Northern District of Texas.

/s/ S. Margie Venus
S. Margie Venus

Exhibit A

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

In re:	§	**Chapter 11**
	§	
EIGER BIOPHARMACEUTICALS, INC., *et al.*[1]	§	**Case No. 24-80040 (SGJ)**
	§	
	§	
Debtors.	§	**(Jointly Administered)**

ORDER EXTENDING THE DEADLINE TO OBJECT TO CLAIMS

Upon the motion (the "Motion")[2] of Dundon Advisers, LLC in its capacity as the Liquidating Trustee (the "Liquidating Trustee", "Movant") for an order extending the deadline by which a Claims Objection must be made by 90 days, through and including December 17, 2026, without prejudice to Movant's right to seek additional extensions thereof, all as more fully set forth in the Motion; and the Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. § 1334; and consideration of the Motion and the requested relief

[1] The Debtors in these chapter 11 cases, together with the last four digits of each Debtor's federal tax identification number, are: Eiger BioPharmaceuticals, Inc. (1591); EBPI Merger Inc. (9986); EB Pharma LLC (8352); Eiger BioPharmaceuticals Europe Limited (N/A); and EigerBio Europe Limited (N/A). The Debtors' service address is 2100 Ross Ave., Dallas, Texas 75201.

[2] Capitalized terms used but not otherwise defined herein shall have the respective meanings ascribed to such terms in the Motion.

being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before the Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Motion having been provided; and such notice having been adequate and appropriate under the circumstances, and it appearing that no other or further notice need be provided; and the Court having reviewed the Motion; and the Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and upon all of the proceedings had before the Court and after due deliberation and sufficient cause appearing therefor, IT IS HEREBY ORDERED THAT:

1. The Claims Objection Deadline is hereby extended to 5:00 p.m. (Prevailing Central Time) on December 17, 2026.

2. This Court shall retain jurisdiction with respect to all matters arising from or related to the implementation or interpretation of this Order.

End of Order

Submitted by:

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